

PART IV – REPRESENTATIONS AND INSTRUCTIONS

SECTION M – EVALUATION FACTORS FOR AWARD

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SECTION M

EVALUATION FACTORS FOR AWARD

M.1 Evaluation of Proposals

- (a) This acquisition will be conducted pursuant to the policies and procedures in Federal Acquisition Regulation (FAR) Part 15 and Department of Energy Acquisition Regulation (DEAR) Part 915. DOE has established a Source Evaluation Board (SEB) to evaluate the proposals submitted for this acquisition.
- (b) The instructions set forth in Section L of this Request for Proposal (RFP) are designed to provide guidance to the Offeror concerning the documentation that will be evaluated by the SEB. The Offeror must furnish specific information in its response to adequately address the evaluation criteria. cursory responses that merely repeat or reformulate the Performance Work Statement are not acceptable.
- (c) A proposal will be eliminated from further consideration before the evaluation if the proposal is so grossly and obviously deficient as to be totally unacceptable on its face. For example, a proposal will be deemed unacceptable if it does not represent a reasonable effort to address itself to the essential requirements of the RFP, or if it clearly demonstrates the Offeror does not understand the requirements of the RFP. In the event that a proposal is rejected, a proposal will not be considered for further evaluation under this solicitation.
- (d) A proposal deficient in any evaluation factor will not be selected for award. A proposal may be determined to be deficient in any evaluation factor if the proposal is determined to be deficient in one or more subfactors within a factor, if there are subfactors for a particular factor.
- (e) Prior to an award, a determination shall be made whether any possible Organizational Conflict of Interest (OCI) exists with respect to the apparent successful Offeror or whether there is little or no likelihood that such conflict exists. In making this determination, DOE will consider the representation required by Section K of this solicitation. An award will be made if there is no OCI or if any potential OCI can be appropriately avoided or mitigated.
- (f) If a competitive range is established pursuant to FAR 15.306(c), the Contracting Officer's (CO) determination of competitive range for proposals submitted, as a result of this solicitation, will consider such factors as technical evaluation/ranking of the proposal, initial cost/price

proposed, most probable cost, and other items set forth in this section. Offerors are hereby advised that only the most highly rated proposals deemed to have a reasonable chance for award of a contract will be included in the competitive range. Offerors who are not included in the competitive range will be promptly notified.

- (g) For the purpose of evaluating information on an Offeror's experience and past performance, an Offeror shall be defined as those companies that have established business arrangements or relationships for this solicitation, including subcontractors that will perform major or critical aspects of the Performance Work Statement. DOE may contact some or all of the references provided by the Offeror, and may solicit past performance information from other available sources.
- (h) The Government intends to evaluate proposals and award a contract without discussions with Offerors (except clarifications as described in FAR 15.306(a)). Therefore, the Offeror's initial proposal should contain the Offeror's best terms for both a technical and cost standpoint. The Government reserves the right to seek information clarifying any element of an Offer prior to award without discussions. The Government reserves the right to conduct discussions if the Contracting Officer later determines them to be necessary.
- (i) Any exceptions or deviations to the terms of the solicitation may make the Offer unacceptable for award. By making exceptions or deviations to the terms of the solicitation, the Offeror could have its proposal considered "non-responsive". If an Offeror proposes exceptions to the terms and conditions of the contract, the Government may make an award without discussions to another Offeror that did not take exception to the terms and conditions of the solicitation.
- (j) With respect to the Offeror's proposed Small Business Subcontracting Plan, the Plan will be assessed against the 11 elements set forth in FAR 52.219-9(d) to determine its acceptability. Offerors should note that the incumbent contractor's goals and actual achievements will be considered as an indicator of the minimum practicable expected performance.

M.2 Basis of Contract Award

DOE intends to award one contract to the responsible Offeror whose proposal is responsive to the solicitation and determined to be the best value to the Government. Selection will be achieved through a process of evaluating the strengths and weaknesses of each Offeror's proposal against the evaluation criteria described below. The technical proposal evaluation criteria are significantly more important than evaluated cost and fee. Evaluated cost and fee

will not be point scored. In determining the best value, the Government will assess whether the strengths and weaknesses between or among competing technical proposals indicate a superiority from the standpoint of:

- (1) what the difference might mean in terms of anticipated performance; and
- (2) what the evaluated cost and fee to the Government would be to take advantage of the difference. The Government will not make an award at a price premium it considers disproportionate to the benefits associated with the evaluated superiority of one technical proposal over another.

It is DOE's intent to award the contract to the offeror whose proposal represents the best value to the Government.

M.3 Overall Relative Importance of Technical Evaluation Factors

The proposals will be evaluated using information submitted by the Offerors on the four factors listed below.

- Technical Approach
- Project Manager and Other Key Personnel
- Experience
- Past Performance

Technical approach is more important than project manager and other key personnel. Project manager and other key personnel is more important than experience. Experience is more important than past performance.

Subfactors under the technical approach are:

- Project Management and Execution,
- Regulatory Approach, and
- Risk Management.

The project management and execution subfactor is more important than each of the other two subfactors individually. The other two subfactors are of equal importance.

Subfactors under the project manager and other key personnel are:

- Project Manager, and
- Other Key Personnel.

The project manager subfactor and the other key personnel subfactor are of equal importance.

M.4 Technical Evaluation Factors/Criteria

The technical proposal will be point scored and will be evaluated in accordance with the following factors and criteria:

M.4.1. Technical Approach

The Offeror's Technical Approach will be evaluated to determine the Offeror's understanding of and ability to perform the requirements of the Performance Work Statement.

Project Management and Execution. DOE will evaluate the Offeror's approach to the management and execution of project work. DOE will evaluate the feasibility of the overall approach to the Main Plant Process Building decontamination and deactivation. DOE will evaluate the proposed Work Breakdown Structure (WBS) and integrated critical path method schedule, and the sequence of work associated with facility disposition and waste management activities to determine if a safe, efficient execution of work scope is planned. DOE will evaluate the feasibility of the sequencing of work associated with accomplishing remote handled waste processing and the disposition of the RHWF and support systems. DOE will evaluate the management organization including the rationale for that structure to support the Offeror's planned approach to execute the work. Based on the Small Disadvantaged Business Participation Program Targets, DOE will evaluate small disadvantaged business participation considering the extent of participation in terms of the total value of the acquisition.

Regulatory Approach. DOE will evaluate the Offeror's approach to achieve regulatory approval for the proposed execution of project work and integration of the regulatory approach with project management and execution, and risk management. DOE will evaluate the Offeror's plans to obtain the permits and regulatory approval to implement the Main Plant Process Building final demolition plan. DOE will evaluate the Offeror's regulatory approach to support waste management and disposal activities. DOE will also evaluate the Offeror's regulatory approach to provide final radiological and Resource Conservation and Recovery Act (RCRA) characterization of Project facilities.

Risk Management. The Risk Management Plan will be evaluated to determine the Offeror's approach to managing project and regulatory risk. DOE will evaluate the Offeror's assessment of the uncertainties identified in Section L.4 and the Offeror's proposed approach for the elimination, avoidance or mitigation of significant risks to project cost

and schedule. DOE will also evaluate the Offeror identified uncertainties for relevance to the Performance Work Statement and for the proposed approach for the elimination, avoidance or mitigation of the risks. DOE will evaluate the integration of risk management with project management and execution, and the regulatory approach. Proposed approaches that merely transfer risk to others may result in a lower rating for this factor. DOE will also evaluate the approach to identify and respond to emerging risks.

M.4.2. Project Manager and Other Key Personnel

DOE will evaluate the key personnel proposed by the Offeror for the positions of Project Manager, the Environment, Safety and Health Manager, and all other key positions as designated by the Offeror. DOE will evaluate the designation of key positions relative to the approach to the management and execution of project work proposed by the Offeror.

The Offeror's Project Manager and other key personnel will be evaluated on the relevancy of their education, leadership, relevant experience, suitability to the proposed position, and experience on work similar to that described in the Performance Work Statement based on resume reviews. DOE will evaluate how work experience relates to WVDP issues and capability to function effectively in his/her proposed position. Failure to submit commitment signatures and the resume format identified in the attachment to Section L shall result in the Offeror receiving a lower rating for this factor.

M.4.3. Experience

DOE will evaluate each Offeror for its experience in performing relevant work similar in size, scope and complexity to that described in the Performance Work Statement. DOE will evaluate the experience of the Offeror and each of its major subcontractors (greater than \$10 million annually at any tier) with respect to the type of work proposed and commensurate with the portion of the overall work being performed by each entity. In the case of a newly formed LLC or joint venture formed for the purpose of performing this contract, DOE will evaluate the experience of each entity with respect to the type of work proposed and commensurate with the portion of the work to be performed by each entity. DOE will also evaluate the Offeror's experience in using corporate capability to provide support and problem-solving resources.

M.4.4. Past Performance

The Offeror's and its major subcontractors' past performance will be evaluated on the basis of information furnished by its customers and other sources on relevant contracts (including current contracts) that are similar in size, scope and complexity to the work described in the Performance Work Statement. The Government will consider in its evaluation the relevance and similarity of the Offeror's past performance information, the Offeror's written discussion of past performance problems, and the corrective actions taken to resolve those problems. The Government will consider past performance information in areas of environment, safety and health (ES&H). The Government will also evaluate past performance in achieving small disadvantaged business goals. In the case of a newly formed joint venture or LLC, DOE will evaluate the past performance of each member that comprises the newly formed entity commensurate with the portion of the work being performed by each entity.

The Past Performance Reference Information Form, ES&H Past Performance Form, and Past Performance Questionnaire identified in Section L will be used to collect this information. DOE may evaluate past performance on less than the total number of contracts if all the completed questionnaires are not returned.

DOE may solicit past performance information from available sources, including references and clients identified by the Offeror, and will consider such information in its evaluation. References other than those identified by the Offeror may be contacted and be considered by the Government regarding the evaluation of the Offeror's past performance. DOE will check Federal Government electronic databases for relevant past performance information. DOE may check readily available Government records including pertinent DOE prime contracts, or from commercial references for relevant past performance information. DOE will review all information submitted, may contact some or all of the contract references provided by the Offeror, and may contact references other than those identified by the Offeror.

Offerors without a record of relevant past performance on contracts that are similar in size, scope and complexity, or for who past performance is not available, will be evaluated neither favorably nor unfavorably on past performance.

M.5 Cost and Fee Evaluation Criteria

DOE will evaluate each offeror's proposed cost for realism, reasonableness and completeness. The evaluation of cost realism includes an analysis of specific elements of each offeror's proposed cost to determine whether the proposed estimated cost elements are realistic for the work to be performed; reflect a clear understanding of the requirements; and are consistent with the methods of performance and materials described in the offeror's technical proposal. The evaluation of cost reasonableness includes those considerations described in FAR subpart 31.2 and consistency with the anticipated funding profile in Section L, Table L.2.

The DOE will evaluate each Offeror's proposed award fee. The following factors may be used when evaluating the award fee:

- Offeror effort required to accomplish the contract work; and
- Offeror's willingness to assume risk as represented by the proportion of the proposed award fee to both the proposed estimated cost and to the proposed base fee.

Based on its review, DOE will determine a most probable cost to the Government to use for the evaluated cost. The most probable cost and proposed base and award fees will be combined to arrive at price for evaluation purposes. DOE will compare the evaluated price to the anticipated funding availability as set forth in Section L, Table L.2, for both the total anticipated contract funding and the anticipated funding by fiscal year. Since the funding is subject to change based on actual appropriation and actual award date of the contract, DOE may make an award to an Offeror whose evaluated price differs from the anticipated funding profile provided in Section L, Table L.2. However, an offeror whose proposed or evaluated price is significantly above the funding profile either on an annual or total basis may be determined ineligible for award.

The Offeror has the responsibility to fully document its cost proposal and provide clear traceability to the Offeror's proposed WBS. DOE may adjust evaluated price as part of its cost realism analysis if the Offeror does not adequately provide this documentation and traceability.